

Disclaimer

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**COOKEVILLE CITY COUNCIL
REGULAR MEETING
AGENDA
Thursday, October 15, 2020
5:30 PM**

1. CALL TO ORDER AND ROLL CALL
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. CONSIDER APPROVAL OF AGENDA AS PRESENTED
4. APPOINTMENTS, PROCLAMATIONS, PRESENTATIONS OR AWARDS
5. OLD BUSINESS
 - A. Consider approval of minutes of council meeting held on October 1, 2020.
 - B. Consider on second and final reading Ordinance #O200815, amending Chapter 6 of Title 16 of the Cookeville Municipal Code. SPONSOR-JAMES MILLS
 - C. Consider on second and final reading Ordinance #O200916, to amend the Municipal Code of the City of Cookeville by inserting in Title 15, entitled "Motor Vehicles, Traffic and Parking", a new Chapter 9 entitled "Residential Parking Districts". SPONSOR-JON WARD
6. CONSENT AGENDA
 - A. Consider awarding bid for water meters - Water Quality Control Department. SPONSOR-RONNIE KELLY
7. NEW BUSINESS - PUBLIC HEARINGS AND ACTION ITEMS
 - A. Hold a public hearing and consider on first reading Ordinance #O200917, rezoning a portion of property located at 1940 East Spring Street from CG (General Commercial) to QM (Quarry & Mining). SPONSOR-JON WARD
 - B. Consider approval to pay record management software (RMS) maintenance fee - Police Department. SPONSOR-KEN SIRCY
8. CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL
9. HEARING FROM OFFICERS, COUNCILMEN AND CITY MANAGER
10. MAYOR'S COMMENTS
11. ADJOURNMENT

Darian Coons, City Clerk

5A

COOKEVILLE CITY COUNCIL

Regular Meeting

October 1, 2020

5:30 PM

The Council of the City of Cookeville met in regular session on Thursday, October 1, 2020, at 5:30 p.m., in the Cookeville Performing Arts Center, 10 East Broad Street. Public access was limited due to following the guidelines and recommendations of social distancing set forth by the Governor's Executive Orders.

CALL TO ORDER AND ROLL CALL

Mayor Ricky Shelton called the meeting to order. Present and answering roll call were:

Councilman Mark Miller:	Present
Mayor Ricky Shelton:	Present
Councilman Eric Walker:	Present
Vice-Mayor Laurin Wheaton:	Present
Councilman Charles Womack:	Absent

Also present: James Mills, City Manager, Darian Coons, City Clerk and Dan Rader IV, serving as City Attorney.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilman Eric Walker gave the invocation and led the audience in the Pledge of Allegiance.

CONSIDER APPROVAL OF AGENDA AS PRESENTED

Vice-Mayor Laurin Wheaton made a motion to approve the agenda as presented. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

APPOINTMENTS, PROCLAMATIONS, PRESENTATION OR AWARDS

Consider appointment to the Cookeville Tree Board

Additional information: Appendix 4A

Vice-Mayor Laurin Wheaton made a motion to appoint Delayne Miller to the Cookeville Tree Board, replacing Ron Graves, for a 3 year term expiring August 2023 as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller: aye
Mayor Ricky Shelton: aye
Councilman Eric Walker: aye
Vice-Mayor Laurin Wheaton: aye

OLD BUSINESS

Consider approval of minutes of council meeting held on September 17, 2020

Vice-Mayor Laurin Wheaton made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller: aye
Mayor Ricky Shelton: aye
Councilman Eric Walker: aye
Vice-Mayor Laurin Wheaton: aye

CONSENT AGENDA

Consider awarding bids for inventory items - Water Quality Control Department

Additional information: Appendix 6A

Consider awarding bids for uniforms - Water Quality Control and Leisure Services Departments

Additional information: Appendix 6B

Consider awarding bid for sixty (60) 30' aluminum poles - Electric Department

Additional information: Appendix 6C

Consider awarding bid for one (1) 75 Kva pad transformer - Electric Department

Additional information: Appendix 6D

Vice-Mayor Laurin Wheaton made a motion to approve the consent agenda item(s) as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller: aye
Mayor Ricky Shelton: aye
Councilman Eric Walker: aye
Vice-Mayor Laurin Wheaton: aye

NEW BUSINESS - PUBLIC HEARINGS AND ACTION ITEMS

Hold a public hearing and consider on first reading Ordinance #O20-09-16, to amend the Municipal Code of the City of Cookeville by inserting in Title 15, entitled "Motor Vehicles, Traffic and Parking", a new Chapter 9 entitled "Residential Parking Districts"

Additional information: Appendix 7A

Councilman Eric Walker made a motion to amend Ordinance #O20-09-16 by including the following language:

Households within one (1) block of any established Residential Parking District may participate in the Residential Parking Program. Those households located within one (1) block who wish to participate may obtain any applicable parking permits approved for the District.

Vice-Mayor Laurin Wheaton made a motion to approve on first reading Ordinance #O20-09-16, to amend the Municipal Code of the City of Cookeville by inserting in Title 15, entitled "Motor Vehicles, Traffic and Parking", a new Chapter 9 entitled "Residential Parking Districts" as amended. The motion was seconded by Councilman Eric Walker. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

Consider approval to purchase two (2) police pursuit vehicles - Police Department

Additional information: Appendix 7B

Councilman Mark Miller made a motion to approve the purchase of two (2) police pursuit vehicles as recommended. The motion was seconded by Councilman Eric Walker. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

Consider approval to purchase one (1) 66' digger derrick truck utilizing the Sourcewell Purchasing Cooperative - Electric Department

Additional information: Appendix 7C

Vice-Mayor Laurin Wheaton made a motion to approve purchasing one (1) 66' digger derrick truck utilizing the Sourcewell Purchasing

Cooperative - Electric Department as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

Consider approval of Final Balance Change Order for 2020 Willow Avenue Water Improvement Project - Water Quality Control Department

Additional information: Appendix 7D

Vice-Mayor Laurin Wheaton made a motion to approve the Final Balance Change Order for 2020 Willow Avenue Water Improvement Project - Water Quality Control Department as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

Consider authorizing the City Manager to enter into Spalls Inspection and Repair Proposal - 10 MG Concrete Water Tank - Water Quality Control Department

Additional information: Appendix 7E

Vice-Mayor Laurin Wheaton made a motion to authorize the City Manager to enter into Spalls Inspection and Repair Proposal - 10 MG Concrete Water Tank - Water Quality Control Department as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller:	aye
Mayor Ricky Shelton:	aye
Councilman Eric Walker:	aye
Vice-Mayor Laurin Wheaton:	aye

Consider awarding bid for 2020 S Jefferson Ave CCTV Project - Water Quality Control Department

Additional information: Appendix 7F

Vice-Mayor Wheaton made a motion to award bid for 2020 S Jefferson Ave CCTV Project - Water Quality Control Department as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller: aye
Mayor Ricky Shelton: aye
Councilman Eric Walker: aye
Vice-Mayor Laurin Wheaton: aye

Consider awarding bid for 2020 Womack Ave Water Improvement Project - Water Quality Control Department

Additional information: Appendix 7G

Vice-Mayor Laurin Wheaton made a motion to award bid for 2020 Womack Ave Water Improvement Project - Water Quality Control Department as recommended. The motion was seconded by Councilman Mark Miller. Upon call for a vote, the motion carried with the following voting:

Councilman Mark Miller: aye
Mayor Ricky Shelton: aye
Councilman Eric Walker: aye
Vice-Mayor Laurin Wheaton: aye

CITIZENS REQUEST FOR HEARING BEFORE CITY COUNCIL

No comments.

HEARING FROM OFFICERS, COUNCIL MEMBERS AND CITY MANAGER

Hear report on \$8,875,000 General Obligation Bonds, Series 2020. SPONSOR-BRENDA IMEL

Finance Director Brenda Imel gave a report on \$8,875,000 General Obligation Bonds, Series 2020.

MAYOR'S COMMENTS

No comments.

ADJOURNMENT

There being no further business, Mayor Ricky Shelton declared the meeting adjourned at 5:52 p.m.

Ricky Shelton, Mayor

ATTEST: _____
Darian Coons, City Clerk



Department of Water Quality Control

BID TABULATION SHEET 2020 - FOR WATER QUALITY CONTROL INVENTORY ITEMS

BIDS OPENED BY: JASON LYNN BIDS WITNESS BY: Matthew Phillips

DATE OF BID OPENING: 9/24/20 TIME OF BID OPENING: 10:30 A.M.

ITEM NO.	QTY	DESCRIPTION	SOUTHERN PIPE SUPPLY	CI THORNBURG	CORE & MAIN	CONSOLIDATED PIPE SUPPLY	FERGUSON ENTERPRISES	FORTILINE SUPPLY	G & C SUPPLY	HAYES PIPE SUPPLY	WALTER A WOOD
1	525	COPPER SETTERS	\$57,369.00	NB	\$57,090.00	\$72,615.75	NB	\$71,132.25	\$57,604.50	\$57,379.50	\$62,809.50
2	336	METER BOXES	\$36,840.00	\$38,256.00	\$36,096.00	\$37,251.12	NB	\$38,041.92	\$39,482.40	\$39,972.00	NB
3	185	CORPORATION STOPS	\$7,967.35	NB	\$7,934.40	\$8,675.85	NB	\$8,498.45	\$9,047.35	\$7,967.95	\$8,564.25
4	15000'	POLY TUBING	\$12,150.00	\$12,750.00	\$15,750.00	\$14,250.00	NB	\$12,300.00	\$12,825.00	\$17,775.00	\$12,450.00
5	10	VALVES	\$5,844.88	NB	\$5,850.00	\$6,000.36	NB	\$5,818.44	\$5,283.48	\$5,818.00	\$5,289.00
6	210	MANHOLE RISERS	NB	NB	NB	NB	NB	NB	\$24,750.00	NB	NB

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BIDS BE AWARDED AS INDICATED FOR THE FOLLOWING REASON: **LOW BIDDERS MEETING SPECIFICATIONS.**

TOTAL OF ALL LINE ITEMS- **\$143,303.48**


 RECOMMENDED BY
 RONNIE J. KELLY, DIRECTOR


 APPROVAL
 JAMES MILLS, CITY MANAGER


 BUDGET AVAILABILITY:
 BRENDA IMEL, FINANCE DIRECTOR

CITY OF
COOKEVILLE
TENNESSEE
Department of Planning
P.O. BOX 998
45 East Broad Street
COOKEVILLE, TN 38503
(931) 520-5271

MEMORANDUM

TO: COOKEVILLE CITY COUNCIL

FROM: JON WARD, PLANNING DIRECTOR

DATE: AUGUST 31, 2020

SUBJECT: RESIDENTIAL PARKING DISTRICTS

Ordinance O20-09-16 is a proposed amendment to the Cookeville Municipal Code to establish a mechanism for the City Council to implement Residential Parking Districts on residentially zoned streets in the City of Cookeville. A Residential Parking District would restrict on-street parking to only be utilized by residents who have obtained a valid parking permit from the City of Cookeville during days and times established by Resolution by the City Council. A summary of the process the Ordinance would establish to implement Residential Parking Districts is included below:

- Residential Parking Districts will be authorized by Resolution by the City Council.
- A petition must be submitted to the Planning Department containing two-thirds or 66% of the dwelling units in the proposed area, defined as minimum of two (2) adjacent block faces and the block faces on the opposite side of the street. A Block Face is defined as all the properties on one (1) side of a given street existing between two (2) consecutive intersecting streets.
- Upon receipt of a valid petition, the Planning Department will conduct a parking study to evaluate parking utilization during peak periods.
- The Planning Department will make a recommendation to the Planning Commission based on the petition and results of study on whether or not to designate an area as a Residential Parking District and the hours to authorize such restrictions.
- The Planning Commission will review the proposal, hold a public hearing and make a recommendation to the City Council to approve or reject the petition to establish a Residential Parking District.
- The City Council will receive the recommendation by the Planning Department and the Planning Commission and hold a public hearing on the matter.

- The City Council will approve or reject a Resolution to establish a Residential Parking District and will establish permit fees associated with establishment of the district.
- Residential Parking Districts shall only apply to block faces of streets zoned entirely as Single Family Residential Districts.
- The City Council at the Council's sole discretion, may by Resolution, dissolve any Residential Parking District authorized by this Ordinance.

This Ordinance is the result of concerns from area residents regarding Tennessee Tech student commuter parking along East 8th Street. The Planning Commission unanimously approved the Ordinance at the August 24, 2020 meeting. If you have questions or comments, please feel free to contact me.

Police Vehicles

- Vehicles approved on 7/2/2020 are not available - vehicle unit cost - \$24,574.00
- Request to purchase (2) Dodge Charger sedans on State Wide Contract - \$25,040.25
- Total Vehicle Cost - \$50,080.50
- Budgeted Items



MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: September 23, 2020

SUBJ: Approval of Final Balance Change Order
2020 Willow Ave. Water Improvement Project

During the next City Council meeting I will be seeking City Council authorization for the City Manager to sign Final Balance Change Order #2 with Madewell Construction, for completion of the 2020 Willow Ave. Water Improvement Project.

The City Council awarded a construction contract to Madewell Construction, on November 7, 2019, in the amount of \$443,980.00. Change Order #1, in the amount of \$42,225, was approved by Council on July 9, 2020. This increased the contract total to \$486,205. This Final Balance Change Order #2 will increase the total contract amount by \$3,262.50. The final contract cost would therefore be \$489,467.50.

If you have any questions or comments concerning this matter please feel free to give me a call.

CHANGE ORDER

DATE: September 15, 2020 ORDER NO. #2- FINAL BALANCE ADJUSTMENT

AGREEMENT DATE:

NAME OF PROJECT: 2020 Willow Avenue Water Improvement Project

OWNER: CITY OF COOKEVILLE CONTRACTOR: Madewell Construction

The following changes are hereby made to the CONTRACT DOCUMENTS:

With all work complete in this contract, the final contract price is \$489,467.50. Some necessary additional work was completed on the project. The final quantities are shown on the Final Pay Application.

Change to Contract Price: \$ 3,262.50

Original Contract Price: \$ 443,980.00

Contract Price after Change Order #1: \$ 486,205.00

The new Contract Price including this Change Order will be:

\$ 489,467.50

Change to Contract Time:

The Contract Time will be (increased) ~~(decreased)~~ by 0 days.

The date for completion of all work will be August 15, 2020.
(Date)

RECOMMENDED BY: Matthew Phillips

APPROVALS REQUIRED:

Matthew Phillips
ENGINEER

Denny Madewell
CONTRACTOR

CITY MANAGER



Department of Water Quality Control

Consideration of Final Balance Change Order #2

Madewell Construction

Willow Ave. Water Improvement Project

- Council Approved Contract on 11-7-2019 - \$ 443,980.00
- Change Order #1 - \$ 42,225.00
- New Contract Amount - \$ 486,205.00
- Final Balance Change Order #2 - \$ 3,262.50
- Final Contract Total - \$ 489,467.50



MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: September 23, 2020

SUBJ: Spalls Inspection and Repair Proposal – 10 MG Concrete Water Tank

During the next City Council meeting I will be seeking authorization for the City Manager to enter into an inspection and repair proposal with CROM LLC. The proposal will allow CROM Tank to inspect and repair some sidewall spalls on our 10 Million Gallon Concrete Water Tank. CROM is the original tank constructor and is uniquely qualified to perform these detailed inspections and the needed repairs.

A detailed copy of the proposal is included in your packet. A lump sum fee of \$14,400 is the negotiated price. I would recommend approval. If you have any questions or comments please feel free to give me a call.

CITY OF COOKEVILLE
 DEPARTMENT OF WATER QUALITY CONTROL
 2020 S JEFFERSON AVE CCTV PROJECT

DATE OF BID OPENING 22-Sep-20 TIME: 2:00 PM
 BIDS OPENED BY MATTHEW PHILLIPS
 BIDS WITNESS BY STEVE SMITH

BIDDERS	TOTAL BID		
C.K. MASONRY CO, INC	\$63,852.25		
INSITUFORM	DNB		
JOHN T. HALL CONSTRUCTION	\$126,213.25		

DNB - DID NOT BID DNMS - DID NOT MEET SPECS

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - C.K. MASONRY CO. INC - BE AWARDED FOR THE FOLLOWING REASON:
 LOW BID MEETING SPECIFICATIONS


 RECOMMENDED:
 DEPARTMENT HEAD


 APPROVAL:
 CITY MANAGER


 BUDGET AVAILABILITY:
 FINANCE DIRECTOR

CITY OF COOKEVILLE
 DEPARTMENT OF WATER QUALITY CONTROL
2020 WOMACK AVE WATER IMPROVEMENT PROJECT

DATE OF BID OPENING 22-Sep-20 TIME: 2:00 PM
 BIDS OPENED BY MATTHEW PHILLIPS
 BIDS WITNESS BY STEVE SMITH

BIDDERS	TOTAL BID		
G MEEKS CONSTRUCTION	\$130,400.00		
JOHN T HALL CONSTRUCTION	\$418,350.00		
MADEWELL CONSTRUCTION	\$100,890.00		
NORRIS BROS EXCAVATING, LLC	\$390,550.00		
DNB - DID NOT BID			

DNMS - DID NOT MEET SPECS

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM - **MADEWELL CONSTRUCTION 827614** - BE AWARDED FOR THE FOLLOWING REASON: LOW BID MEETING SPECIFICATIONS


 RECOMMENDED:
 DEPARTMENT HEAD


 APPROVAL:
 CITY MANAGER


 BUDGET AVAILABILITY:
 FINANCE DIRECTOR

Report to Council \$8,875,000 G.O. Bonds, Series 2020

- August 2020 council authorized not to exceed \$19 million G.O. Bonds

Primary Projects:

- Police Headquarters
- Fire Apparatus – Aerial Truck and Rescue Pumper

Bond Summary:

- Bonds rated as Aa2 (Moody's)
- Attorney Opinion - Tax exempt bank qualified
- Competitive Public Sale 8/27/20
- Truist Securities, Inc. Low bid TIC @ 1.312828%
5 bids ranging from 1.312828% to 1.461847%
- Bonds will be repaid over 15 years
- Bonds closed and dated 9/18/20

Report to Council

\$8,875,000 G.O. Bonds, Series 2020

Sources of Funds

Par Amount of the Bonds	\$	8,875,000.00
Premium	\$	1,113,049.35
		\$ 9,988,049.35

Uses of Funds

Underwriter's Discount	\$	38,442.26
Bond Issue costs:		
Bond Counsel	\$	17,000.00
Rating Agency Fee	\$	17,000.00
Financial Advisor	\$	26,625.00
Other Costs	\$	71,325.00
		\$ 9,878,282.09
Construction/Project Funds Available	\$	\$ 9,988,049.35

5B

ORDINANCE NUMBER O20-08-15

AN ORDINANCE OF THE COUNCIL
OF THE CITY OF COOKEVILLE,
TENNESSEE, AMENDING CHAPTER 6
OF TITLE 16 OF THE COOKEVILLE
MUNICIPAL CODE

ORDINANCE NO. O20-08-15
REQUESTED BY: CITY COUNCIL
PREPARED BY: CITY MANAGER
APPROVED AS TO FORM AND
CORRECTNESS:

(City Attorney)

PASSED FIRST READING: 9-3-20

PASSED 2ND READING: _____

MINUTE BOOK _____ PAGE _____

THE COUNCIL OF THE CITY OF COOKEVILLE, TENNESSEE HEREBY ORDAINS:

Section I. That Chapter 6 of Title 16 of the City of Cookeville Municipal Code is hereby amended by deleting Section 16-601 in its entirety and by inserting a new Section 16-601 to read as follows:

16-601. Obstructing public streets, alleys and sidewalks prohibited.

(1) PURPOSE.

It is a purpose of this Ordinance to protect the health, safety, and welfare of the general public by imposing regulations against all unsafe panhandling and other activities at or near intersections, or on sidewalks, medians and other areas of the public right of way in the City of Cookeville and to impose reasonable time, place and manner restrictions on unsafe panhandling and other activities while respecting the constitutional rights of free speech for all residents.

(2) FINDINGS.

The Council of the City of Cookeville finds as follows:

- (a) That panhandling and other activities on roadway median strips and traffic intersections is unsafe, causes a disturbance, and is disruptive to residents and transit-dependent persons and could cause traffic and life safety issues for motorists as well as pedestrians, and
- (b) That the practice of panhandling for contributions from persons in vehicles in the public roadway from a median strip or near intersections subjects the panhandlers and vehicles to an unacceptable level of danger. Drivers become distracted from their primary duty to watch traffic which results in the delay and obstruction of the public's free flow of travel. These activities further result in the congestion and blockage of streets when such persons approach the vehicles to negotiate with the occupants. The most severe impacts are experienced when money or other items of value are directly and immediately exchanged, hand to hand, in the public right of way as a result of the solicitation. Distracted drivers are more prone to be involved in automobile accidents, and accidents on the public streets constitute a substantial traffic safety problem; and

- (c) That the practice of panhandling and other activities near driveways accessing shopping centers and other retail and business establishments presents an unacceptable level of danger for panhandlers, pedestrians, and vehicles. The location of the panhandler near the driveway interferes with the drivers' vision and ability to safely enter and exit the driveway. Furthermore, drivers become distracted from their duty to watch traffic as they maneuver to avoid a panhandler preventing safe access to the driveway, then causes vehicular congestion and blockage of traffic. As set forth above, distracted drivers are more prone to automobile accidents and the safety risk to the panhandlers increase; and
- (d) That panhandling from people in places where they are a "captive audience", (in which it is impossible or difficult for them to exercise their own rights to decline to listen to or avoid panhandling from others) is abusive, infringes upon the rights of transit-dependent persons and residents to the quiet enjoyment of these public facilities on which these persons necessarily rely, increases the vulnerability to intimidation of such residents since they must have cash out or readily available at such sites, and creates an unacceptable risk to the resident's safety and welfare. Such places include automated teller machines, gas stations, public transportation vehicles, and designated public transportation stops. Restricting panhandling in these places will provide a balance between the rights of panhandlers and the rights of persons who will commonly be carrying cash on their persons and wish to decline or avoid such panhandlers; and
- (e) The restrictions contained herein are neither overbroad nor vague and are narrowly tailored to serve a substantial governmental interest. The goal of this section is to protect the city residents, visitors and panhandlers from traffic safety problems, along with intrusive conduct and personal intimidation that may result from panhandling; and
- (f) Reasonable time, place and manner restrictions on panhandling will avoid these negative effects and will not unreasonably restrict the expressive activity of people engaging in panhandling; and
- (g) That the most dangerous areas where panhandling and sales of merchandise to occupants of vehicles, and other activities is at the intersections of major streets in the City of Cookeville; entrances and exits to and from Interstate 40; entrances and exits to and from Tennessee State Highway 111; entrances and exits to and from shopping centers, including The Shoppes at Eagle Point; The Cookeville Mall; Jackson Plaza; Walmart Shopping Center; and
- (h) The Council of the City of Cookeville also finds that, based on the study done and compiled in the Cookeville Major Street Plan Update (2017) that the prohibitions of this ordinance should apply to the intersections of: (1) All major arterial streets and highways; (2) All major collector streets and highways; (3) All minor arterial streets and highways; (4) All minor collector streets and highways; and (5) All State and Federal highways. The classification of these streets is set forth in the City of Cookeville Classification of Thoroughfares maintained by the Planning Department and available on the City of Cookeville website.

(3) Except as permitted by other portions of this Code, no person shall obstruct, use or occupy any portion of the public right-of-way, including any public street, median, alley or sidewalk for the purpose of:

- (a) Storing or exhibiting any goods, merchandise or other materials.
- (b) Selling or attempting to sell any goods, merchandise or other materials, or any service.

(4) No person shall obstruct, stand on or otherwise occupy any portion of the public right-of-way, including any public street, median, alley or sidewalk, at the intersections defined in Section 16-601(10) for the purpose of soliciting or accepting donations of money or any other item from the occupant of any vehicle.

(5) No person shall, by means of a sign or other device of any kind, use or occupy any portion of the public right-of-way, including any public street, median, alley or sidewalk to attempt to alert the driver or any occupant of a motor vehicle that is on a street to any commercial activity.

(6) Nothing in this section shall be construed to apply to:

- (a) Licensees, lessees, franchisees, permittees, employees or contractors of the City, county or state authorized to engage in inspection, construction, repair or maintenance or in making traffic or engineering surveys.
- (b) Any of the following persons while engaged in the performance of their respective occupations: firefighting and rescue personnel, law enforcement personnel, emergency medical services personnel, health care workers or providers, military personnel, civil preparedness personnel, emergency management personnel, solid waste or recycling personnel, public works personnel or public utilities personnel.
- (c) Use of public streets, alleys, sidewalks or other portions of the public right-of-way in areas which have been closed to vehicular traffic for festivals or other events or activities permitted by the City.

(7) Nothing in this section or in any other part of this Code shall be construed as prohibiting the sale or distribution of newspapers, magazines, periodicals, handbills, flyers or similar materials, except that:

- (a) Such activity shall be prohibited on any portion of any street within the City at the intersections defined in Section 16-601(10).
- (b) Such materials shall not be handed to the occupant of any motor vehicle that is on a street, nor shall any action be taken which is intended or reasonably calculated to cause the vehicle occupant to hand anything to the person selling or distributing the materials at the intersections defined in Section 16-601(10).

(8) Upon application approved by the City, the City may designate one or more intersections to be permitted for fundraising for 501(c)(3) organizations for a limited time.

(9) Definitions: For the purpose of this section, unless the context clearly requires a different meaning, the words, terms and phrases shall mean as follows:

- (a) *Automated teller machine* (ATM) means any electronic information processing device which accepts or dispenses cash in connection with a credit, deposit or convenience account.

- (b) *Automated teller machine facility* means the area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.
- (c) *Donation* means a gift of money or other item of value and shall also include the purchase of an item for an amount exceeding its value under the circumstances where a reasonable person would understand that the purchase is in substance a gift.

(10)The prohibitions of Sections 4, 6, and 7 of this Code shall apply to the intersections of: (1) All major arterial streets and highways; (2) All major collector streets and highways; (3) All minor arterial streets and highways; (4) All minor collector streets and highways; and (5) All State and Federal highways with any City Street. The classification of these streets is set forth in the City of Cookeville Classification of Thoroughfares maintained by the Planning Department and available on the City of Cookeville website.

(11)The prohibitions of this Code also apply to places where members of the public could be considered a “captive audience”. Such places include automated teller machines, gas stations, public transportation vehicles, designated public transportation stops, and drive up/walk up food service windows.

(12) Nothing in this Code shall prohibit busking on streets or sidewalks that are not defined in Section 16-601(10).

(13) The penalty for violating this Code shall be up a \$10 fine for the first offence; a \$25 fine for the second offence and a \$50 fine for the third and subsequent offences. Court cost shall not be assessed for any violation.

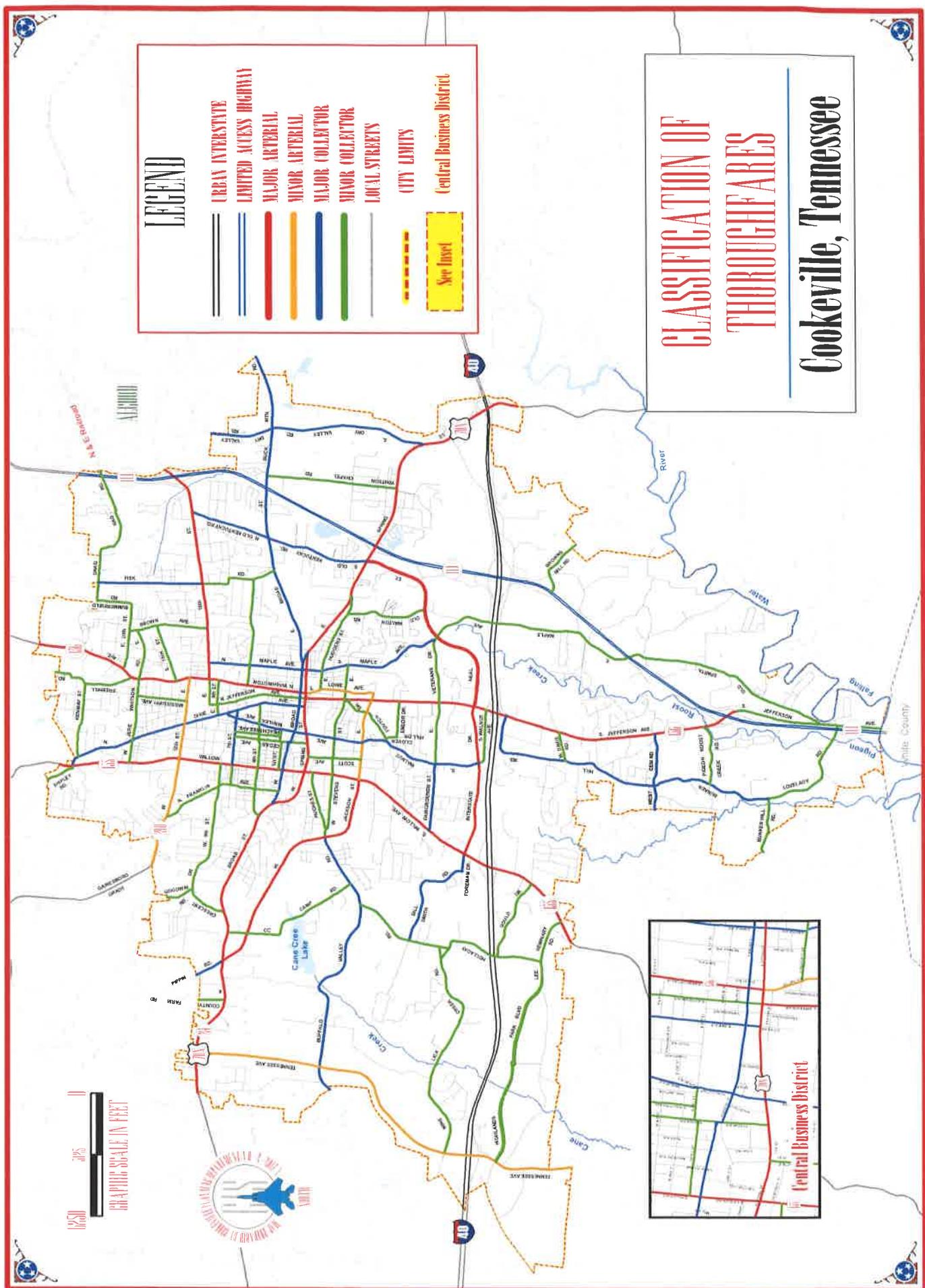
(14) If any provision of this Code is held to be invalid or unenforceable for any reason, the remaining provisions remain in full force and effect.

Section II. That this ordinance shall take effect 14 days after from and after its final passage, the public welfare requiring it.

Ricky Shelton, Mayor

ATTEST:

Darian Coons, City Clerk



LEGEND

	URBAN INTERSTATE
	LIMITED ACCESS HIGHWAY
	MAJOR ARTERIAL
	MINOR ARTERIAL
	MAJOR COLLECTOR
	MINOR COLLECTOR
	LOCAL STREETS
	CITY LIMITS
	Central Business District
	See Inset

CLASSIFICATION OF THOROUGHFARES

Cookeville, Tennessee

1:250
GRAPHIC SCALE IN FEET



BURGESS FALLS RD/State Route 135	Major Arterial	INTERSTATE 40 TO CITY LIMITS
E 10TH ST	Major Arterial	N WASHINGTON AVE TO CITY LIMITS
E SPRING ST/US Hwy 70N	Major Arterial	S WALNUT AVE TO CITY LIMITS
INTERSTATE DR	Major Arterial	S WILLOW AVE TO S JEFFERSON AVE
N WASHINGTON AVE/State Route 136	Major Arterial	E BROAD ST TO CITY LIMITS
N WILLOW AVE/State Route 135	Major Arterial	W BROAD ST TO CITY LIMITS
NEAL ST	Major Arterial	S JEFFERSON AVE TO E SPRING ST
S JEFFERSON AVE/State Route 136	Major Arterial	E SPRING ST TO STATE ROUTE 111
S WASHINGTON AVE/State Route 136	Major Arterial	E BROAD ST TO E SPRING ST
S WILLOW AVE/State Route 135	Major Arterial	W BROAD ST TO INTERSTATE 40
W BROAD ST/US Hwy 70N	Major Arterial	W SPRING ST TO CITY LIMITS
W JACKSON ST	Major Arterial	S WILLOW AVE TO W BROAD ST
W SPRING ST/US Hwy 70N	Major Arterial	S WALNUT AVE TO W BROAD ST

E 12TH ST	Minor Arterial	N DIXIE AVE TO N WASHINGTON AVE
E JACKSON ST	Minor Arterial	S WALNUT AVE TO S LOWE AVE
S LOWE AVE	Minor Arterial	S WASHINGTON TO E JACKSON ST
S WASHINGTON AVE	Minor Arterial	E SPRING ST TO S LOWE AVE
TENNESSEE AVE	Minor Arterial	W BROAD ST/US HWY70N TO CITY LIMITS
W 12TH ST/State Route 290	Minor Arterial	N DIXIE AVE TO CITY LIMITS
W 12TH ST	Minor Arterial	N WILLOW AVE TO N DIXIE AVE
W JACKSON ST	Minor Arterial	S WALNUT AVE TO S WILLOW AVE

BILL SMITH RD	Major Collector	FOREMAN TO HOLLADAY RD
BUCK MOUNTAIN RD	Major Collector	WHITSON CHAPEL RD TO CITY LIMITS
BUNKER HILL RD	Major Collector	S JEFFERSON AVE TO LOVELADY RD
DRY VALLEY RD	Major Collector	BUCK MOUNTAIN RD TO CITY LIMITS
E 7TH ST	Major Collector	MAHLER AVE TO N DIXIE AVE
E BROAD ST	Major Collector	S WALNUT AVE TO WHITSON CHAPEL RD
FAIRGROUND ST	Major Collector	S WILLOW AVE TO S WA LNUT AVE
FISK RD	Major Collector	E 10TH ST TO CITY LIMITS
FOREMAN DR	Major Collector	S WILLOW AVE TO BILL SMITH RD
MAHLER AVE	Major Collector	1ST TO 8TH ST
N CEDAR AVE	Major Collector	W BROAD ST TO W BROAD ST
N DIXIE AVE	Major Collector	E BROAD ST TO N WILLOW AVE
N MAPLE AVE	Major Collector	E BROAD ST TO E 10TH ST
N OLD KENTUCKY RD	Major Collector	E BROAD ST TO E 10TH ST
N WALNUT AVE	Major Collector	BROAD ST TO 1ST ST
PIPPIN RD	Major Collector	W BROAD ST TO CITY LIMITS
S DIXIE AVE	Major Collector	E BROAD ST TO E SPRING ST
S DRY VALLEY RD	Major Collector	BUCK MOUNTAIN RD TO E SPRING ST
S MAPLE AVE	Major Collector	E BROAD ST TO E VETERANS DR
S OLD KENTUCKY RD	Major Collector	E BROAD ST TO E SPRING ST
S WALNUT AVE	Major Collector	BROAD ST TO INTERSTATE DR
W 7TH ST	Major Collector	N WILLOW AVE TO MAHLER AVE
W 8TH ST	Major Collector	N DIXIE AVE TO MAHLER AVE
W BROAD ST	Major Collector	WALNUT AVE TO W SPRING ST
WEST CEMETERY RD	Major Collector	S JEFFERSON AVE TO CITY LIMITS

BROWN AVE	Minor Collector	E 10TH ST TO E 20TH ST
BROWNS MILL RD	Minor Collector	STATE ROUTE 111 TO CITY LIMITS
BUNKER HILL RD	Minor Collector	LOVELADY RD TO CITY LIMITS
CC CAMP RD	Minor Collector	BUFFALO VALLEY RD TO W BROAD ST
CLARENCE CARTER RD	Minor Collector	MINE LICK CREEK RD TO HOLLADAY RD
CLOVER HILL DR	Minor Collector	FOUTCH DR TO ENSOR DR
COUNTY FARM RD	Minor Collector	W BROAD ST TO CITY LIMITS
CRESCENT DR	Minor Collector	W BROAD ST TO W 9TH ST
E 10TH ST	Minor Collector	N JEFFERSON AVE TO N WASHINGTON AVE
E 15TH ST	Minor Collector	N WASHINGTON AVE TO BROWN AVE
E 20TH ST	Minor Collector	N WASHINGTON AVE TO VOLUNTEER DR
E 4TH ST	Minor Collector	MAHLER AVE TO N DIXIE AVE
E 6TH ST	Minor Collector	N WASHINGTON AVE TO FISK RD
E 7TH ST	Minor Collector	JEFFERSON TO JEFFERSON
E 9TH ST	Minor Collector	N DIXIE AVE TO N WASHINGTON AVE
E HUDGENS ST	Minor Collector	S LOWE AVE TO E SPRING ST
E JERE WHITSON RD	Minor Collector	N DIXIE AVE TO BROWN AVE
E STEVENS ST	Minor Collector	S WALNUT AVE TO S MAPLE AVE
E VETERANS DR	Minor Collector	S WALNUT AVE TO NEAL ST
ENSOR DR	Minor Collector	CLOVER HILL DR TO S JEFFERSON AVE
FISK RD	Minor Collector	E BROAD ST TO E 10TH ST

FOUTCH DR	Minor Collector	S WALNUT AVE TO S JEFFERSON AVE
FREEHILL RD	Minor Collector	N WASHINGTON AVE TO CITY LIMITS
GOODWIN RD	Minor Collector	CRESCENT DR TO CITY LIMITS
GOULD DR	Minor Collector	S WILLOW AVE TO HOLLADAY RD
HIGHLANDS PARK BLVD	Minor Collector	TENNESSEE AVE TO LEE SEMINARY RD
HOLLADAY RD	Minor Collector	BUFFALO VALLEY RD TO LEE SEMINARY RD
HUGHES ST	Minor Collector	S WILLOW AVE TO W STEVENS ST
KENWAY ST	Minor Collector	N DIXIE AVE TO SHARON AVE
LEE SEMINARY RD	Minor Collector	BURGESS FALLS RD TO HIGHLANDS PARK BLVD
LOVELADY RD	Minor Collector	BUNKER HILL RD TO S JEFFERSON AVE
MINE LICK CREEK RD	Minor Collector	HOLLADAY RD TO TENNESSEE AVE
MISSISSIPPI AVE	Minor Collector	E 12TH ST TO E JERE WHITSON RD
N CEDAR AVE	Minor Collector	W BROAD ST TO W 7TH ST
N FRANKLIN AVE	Minor Collector	W BROAD ST TO W 12TH ST
N JEFFERSON AVE	Minor Collector	E BROAD ST TO E 10TH ST
N PEACHTREE AVE	Minor Collector	W 1ST ST TO W 7TH ST
OLD SPARTA RD	Minor Collector	STATE ROUTE 111 TO S JEFFERSON AVE
OLD WALTON RD	Minor Collector	E HUDGENS ST TO NEAL ST
PIGEON ROOST CREEK RD	Minor Collector	BUNKER HILL RD TO S JEFFERSON AVE
S CEDAR AVE	Minor Collector	W BROAD ST TO W SPRING ST
S JEFFERSON AVE	Minor Collector	STATE ROUTE 111 TO CITY LIMITS
S MAPLE AVE	Minor Collector	NEAL ST TO STATE ROUTE 111
S WALNUT AVE	Minor Collector	INTERSTATE DR TO S JEFFERSON AVE
SCOTT AVE	Minor Collector	W SPRING ST TO W JACKSON ST
SHAG RAG RD	Minor Collector	FIISK RD TO CITY LIMITS
SHIPLEY RD	Minor Collector	N WILLOW AVE TO CITY LIMITS
SUMMERFIELD RD	Minor Collector	VOLUNTEER DR TO SHAG RAG RD
W 1ST ST	Minor Collector	N WILLOW AVE TO MAHLER AVE
W 4TH ST	Minor Collector	W BROAD ST TO MAHLER AVE
W 7TH ST	Minor Collector	N FRANKLIN AVE TO N WILLOW AVE
W 9TH ST	Minor Collector	CRESCENT DR TO N WILLOW AVE
W DAVIS RD	Minor Collector	BUNKER HILL TO S JEFFERSON
W JERE WHITSON RD	Minor Collector	N WILLOW AVE TO N DIXIE AVE
W STEVENS ST	Minor Collector	W JACKSON ST TO S WALNUT AVE
WHITSON CHAPEL RD	Minor Collector	E SPRING ST TO BUCK MOUNTAIN RD

5C

MEMORANDUM

TO: COOKEVILLE CITY COUNCIL

FROM: JON WARD, PLANNING DIRECTOR

DATE: OCTOBER 12, 2020

SUBJECT: RESIDENTIAL PARKING DISTRICTS

The Ordinance was amended at first reading to provide residences within one (1) block of an established Residential Parking District the opportunity to participate in the District. The following section was added to the Ordinance:

15.911. Adjacent Residences Eligible to Participate:

Residences within one (1) block of any established Residential Parking District may participate in the Residential Parking Program. Those households located within one (1) block who wish to participate may obtain any applicable parking permits approved for the District.

ORDINANCE NUMBER O20-09-16

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF COOKEVILLE, AS ADOPTED BY ORDINANCE NO. 002-12-33, AND AS SINCE AMENDED BY INSERTING IN TITLE 15, ENTITLED "MOTOR VEHICLES, TRAFFIC AND PARKING", A NEW CHAPTER 9 ENTITLED "RESIDENTIAL PARKING DISTRICTS"

ORDINANCE NUMBER: O20-09-16
REQUESTED BY: Planning Department
PREPARED BY: Planning Department/Police Department
APPROVED FORM/CORRECTNESS:

City Attorney
PASSED 1ST READING: 10-1-20
PASSED 2ND READING: _____
PUBLIC HEARING HELD: 10-1-20

THE CITY COUNCIL OF THE CITY OF COOKEVILLE, TENNESSEE, HEREBY ORDAINS:

Section 1: That Title 15 Chapter 9 – "Residential Parking Districts" is hereby added to the Cookeville City Municipal Code and shall read as follows:

15-901. Purpose

The purpose of this Chapter is to establish provisions to authorize Residential Parking Districts along city streets within the City Limits of Cookeville.

15-902. Authorization

The establishment of Residential Parking Districts within the City of Cookeville shall be authorized by Resolution by the City Council according to this Chapter.

15-903. Applicability

Residential Parking Districts shall only apply to block faces of streets zoned entirely as Single Family Residential Districts.

15-904. Definitions

For purposes of this Ordinance, the following words and phrases shall have the following meanings:

- (1) "**Block Face**" All the properties on one (1) side of a given street existing between two (2) consecutive interesting streets
- (2) "**Dwelling Unit**" or "**Residence**" shall mean a house, apartment, condominium, mobile home, or other type of residence, in conformance with the City's Zoning Code. Apartments, mobile homes, or other type of residence having numbers or letters assigned to the street address shall be deemed a dwelling unit.
- (3) "**Guest**" shall mean any persons visiting a dwelling unit located in a Residential District.

- (4) **“Guest Permit”** Shall mean a permit issued by the City of Cookeville to residents of Residential Parking Districts, limited to use by guests of the resident within the district to which it is issued.
- (5) **“Motor Vehicle”** shall include any licensed automobile, truck, motor-home, recreational vehicle, trailer, motorcycles, or other motor-drive form of transportation.
- (6) **“Parking Permit”** or “Residential Parking Permit” shall mean any valid resident, guest, or daily parking permit issued by the City of Cookeville.
- (7) **“Peak Period”** shall mean the days of the week and times of the day where parking reaches maximum occupancies
- (8) **“Qualifying Petition”** a formal written request that represents at least two-thirds or sixty-six percent (66%) of the households or occupants of a proposed district.
- (9) **“Resident”** shall mean a person who lives in a dwelling unit located in a Residential Parking District.
- (10) **“Residential Parking District”** shall mean a residential area with streets and boundaries designated by a City Council Resolution. A district shall contain at least two (2) block faces.

15-905. Parking Privileges for Permit Holders

Any motor vehicle properly displaying a valid Residential Parking Permit for a street within a Residential Parking District may park on that street during the hours when parking on such street is prohibited to non-permitted vehicles. Except as otherwise provided in this ordinance, all other motor vehicles parked within a Residential Parking District shall be subject to the parking restrictions and penalties as provided in this ordinance. A Residential Parking Permit shall neither guarantee nor reserve to the holder thereof any particular on-street parking space. A permitted vehicle shall obey all other parking rules, regulations, and restrictions.

15-906. Designation of Residential Parking Districts: Dissolution of Residential Parking Districts

(1) Submitting a Petition:

In order to be considered for a Residential Parking District designation, a resident(s) must submit a petition to the Planning Department containing the signature of an adult member (each dwelling unit will have one (1) vote) of at least two-thirds or sixty-six percent (66%) of the dwelling units in the residential area.

- (a) Petitions shall only be considered for areas which contain at least two (2) adjacent block faces and must also include the block face(s) on the opposite side of the street. The boundaries of and the streets within the proposed permit parking district shall be clearly identified on each page of the petition.
- (b) The petition shall also state clearly that, if the district is approved that participation in the program is mandatory, only those vehicles with a permit shall be permitted to park in the Residential Parking District,

except days and times exempted if applicable, and an annual fee will be charged for a parking permit for each vehicle.

- (c) The necessary petition can be obtained from the Planning Department. A cover letter explaining the reasons for the request and a map showing the boundaries of the proposed parking permit district shall accompany the petition.

(2) Upon Receipt of Petition

Upon receipt of a valid petition, the Planning Department shall conduct a parking study of the area identified in the petition. A Residential Parking District may be established only if the results of the study demonstrate that both of the following criteria are satisfied during peak periods or if other extenuating circumstances are present:

- (a) At least fifty percent (50%) of the curbside parking spaces in the proposed parking permit district were utilized during peak periods. For purposes of this criterion, a legal curbside parking space shall be twenty three (23) linear feet; and
- (b) At least twenty-five percent (25%) of the curbside parking spaces in the proposed parking district were utilized by nonresident parkers. For purposes of this criterion, the latest available motor vehicle registration information shall be used.

(3) Parking Study Report and Recommendation:

Upon completion of the parking study, if the conditions of subsection (2) of this section are established, or if other extenuating circumstances are found to be present, the Planning Department shall make a report and recommendation to the Planning Commission, based upon the petition and results of the study, on whether or not to designate the proposed parking district or a portion thereof as a Residential Parking District and the hours such restrictions are to be in effect. The recommendation shall take the following into account:

- (a) The effect on the safety of the residents of the proposed Residential Parking District from intensive parking by nonresidents;
- (b) The difficulty or inability of residents of the proposed Residential Parking District to obtain adequate curbside parking adjacent to or near their residences because of widespread use of available curbside parking spaces by nonresident motorists;
- (c) The likelihood of alleviating, by use of the Residential Parking Permit Program, any problem of non-availability of residential parking spaces.
- (d) The desire of the residents in the proposed residential parking permit area for the institution of a Residential Parking District and the willingness of those residents to bear the cost incidental to the administration of the Residential Parking Permit Program.

(4) Planning Commission Public Hearing:

Upon Receipt of the report and recommendation from the Planning Department, the Planning Commission shall hold a public hearing on the petition. Upon completion of the public hearing, the Planning Commission

shall make a recommendation to the City Council to adopt or reject a Resolution designating the defined area as a Residential Parking District.

(5) City Council Public Hearing:

The City Council, on receipt of the recommendation from the Planning Department and Planning Commission shall hold a public hearing on the petition. Upon completion of the public hearing, the City Council may reject the petition or adopt a Resolution designating the defined area as a Residential Parking District.

(6) Creation of a Residential Parking District:

A Residential Parking District shall be created only where the City Council has found that unrestricted parking creates a situation in which the streets cannot be used for parking by the residents or their guests and that such unrestricted parking substantially and unreasonably regularly interferes with the use of 50% of the available public street parking, or when unrestricted parking is the source of unreasonable noise, traffic hazards, environmental pollution, or of other interference with the residential environment and detrimentally affects the public welfare.

(7) Request to Add or Remove Street Segments to Existing District:

Residents may submit a qualified petition to request adding or removing a block face to an existing district. These petitions must be submitted to the Planning Director which will evaluate the request. Residents of the proposed block face will be given at least thirty a (30) day notice prior to implementation of the Residential Parking District.

(8) Dissolution of Residential Parking Districts:

(a) The designation process set forth in this Section including a petition of at least two-thirds or sixty-six percent (66%) of residents in an existing Residential Parking District shall be utilized by the City Council in determining whether to dissolve a Residential Parking District.

(b) The City Council at the Council's sole discretion, may by Resolution, dissolve any Residential Parking District authorized by this Ordinance.

15-907. Installation of Signs:

The Residential parking designation shall not apply to any specific street within the district until a sign giving adequate notice thereof has been installed on that street. The Public Works Director will cause the installation of such signs on the streets of an established Residential Parking District indicating that there is no parking between specified hours except for vehicles which display a valid Residential Parking Permit.

15-908. Establishment and Enforcement of Hours:

Residential parking referenced in this chapter shall be in effect and enforced on such days of the week and during such time periods as shall be determined by the City Council and established by resolution, based upon sound traffic engineering principles, traffic investigation, and studies made, and shall be posted upon such streets. Nothing in this chapter shall be construed as permitting parking during times or hours or by type of vehicle otherwise prohibited in the City Code or by any provision of state law.

15-909. Exemptions:

(1) Vehicles:

The vehicles listed in this section may park in a Residential Parking District without a Residential parking permit:

- (a) Vehicles lawfully displaying a special identification license plate or placard issued to a disabled person,
- (b) Vehicles of disabled veterans,
- (c) Vehicles readily identifiable as commercial, delivery, service, utility, or construction vehicles, while actually engaged in providing maintenance, repair, or service work to a residence in a program area
- (d) Emergency vehicles and other vehicles explicitly exempted from observing parking regulations pursuant to applicable provisions of state law.

(2) Streets or Street Segments:

Those streets or street segment(s) in front of schools and parks which, as determined by the Planning Department, are otherwise subject to parking restrictions that differ from those established for a Residential Parking District.

15-910. Residential Parking Permit-Application and Issuance:

(1) Permits Issued by City Clerk:

Parking permits for Residential Parking Districts shall be issued by the City Clerk.

(2) Information Required for Residential Parking Permits:

The City shall make available Residential parking permit applications and shall issue permits upon proper application thereof. Each application and reapplication shall be on a form provided by the City and shall contain sufficient information to satisfy the City as to the identity of the applicant including the address and daytime telephone number of the applicant; the applicant's registered ownership; the applicant's driver's license number; the license number, make, model, and year of the vehicle; proof of current vehicle insurance and current registration; and such other information as deemed necessary by the City. Permits shall be issued within thirty (30) days of the City's receipt of a complete and conforming application.

(3) Fees to Accompany Applications:

Each application, reapplication, and renewal application shall be accompanied by nonrefundable fees specified by resolution of the City Council.

(4) Denial of Parking Permit:

Parking permits shall not be issued to any person who has outstanding parking tickets.

(5) Invalid Permits:

Parking permits become invalid and shall be returned to the City when the permit holder moves out of a Residential Parking District.

15-911. Adjacent Residences Eligible to Participate:

Residences within one (1) block of any established Residential Parking District may participate in the Residential Parking Program. Those households located within one (1) block who wish to participate may obtain any applicable parking permits approved for the District.

15-912. Resident Parking Permits:

(1) Quantity of Permits Issued:

The number of resident parking permits to be issued to each residence for which application is made shall be determined by the parking conditions within each district and set forth by Resolution of the City Council. Resident parking permits are issued to the resident for the resident's vehicle. The resident parking permit is not transferable between vehicles. The resident permit is valid for one year after the date of issuance.

(2) Location of Permits:

Resident parking permits shall be affixed to the inside bottom left of the driver's side rear windshield.

15-913. Guest Parking Permit-Annual:

(1) Quantity of Permits Issued:

The number of annual guests parking permits that will be available to each residence for which application is made will be established by Resolution based on findings of the parking study and the characteristics of the area proposed for a Residential Parking District. Guest permits will be issued to each residence for which application is made. Annual guest parking permits are transferable among the resident's guest vehicles. Guest parking permits are to be used only by the resident's bona fide transient guests. The guest permit is valid for one year after the date of issuance.

(2) Location of Permits:

Annual guest parking permits shall be displayed by hanging the permit from the rear view mirror.

15-914. Permit Content:

Each Residential parking permit shall state the street(s) on or Residential Parking District in which it is valid, the expiration date, and any additional information required by the City.

15-915. Replacement Parking Permits:

The City may issue a duplicate or replacement resident or guest permit to any person who has qualified for and who has been issued a parking permit under the provisions of this Ordinance. The permit holder must furnish proof that said permit has been lost or destroyed, including submittal of a police report, or the vehicle to which the original permit was affixed has been disposed of, for which new vehicle registration must be provided.

The duplicate or replacement parking permit will be reissued at the standard cost of the original parking permit that it replaces. The cost of the duplicate or replacement permit will not be pro-rated. Permit holders shall report to the City a lost, stolen, or missing parking permit within five (5) days of loss, at which time that permit shall be cancelled and a new permit issued for a replacement fee.

15-916. Residential Parking Permit Revocation.

(1) Authorization to Revoke:

The Chief of Police or his/her designee are authorized to revoke the parking permits of any person on any of the following grounds:

- (a) Ineligibility for a permit under the terms of this Ordinance at the time of the application;
- (b) Ceasing to be eligible during the term of the permit;
- (c) Failing to comply with or violating any condition imposed on the issuance of a permit; or
- (d) Failing to comply with or violating any provision of this Ordinance or any related law or regulation.

(2) Surrender of Permit:

Upon written notification, the permit holder shall surrender such permit to the requesting authority. The permit shall be considered void on the fifth day after the date of notification. Failure to surrender a revoked parking permit when requested shall constitute a violation of this Ordinance. Upon revocation, parking permit fees will not be refunded.

(3) Reapplication for Permit:

Any person whose permit has been revoked shall not be issued a new permit without reapplication and establishing eligibility pursuant to this Ordinance.

(4) Appeal of Revocation:

The action the Chief of Police, or his/her designee, to revoke a parking permit may be appealed to the City Manager or his designee.

- (a) Notice of appeal shall be filed with the City Clerk within ten (10) days after the revocation.
- (b) If such an appeal is timely filed, revocation shall be stayed until the City Manager or designee's decision is made. Upon failure of the permit holder to file such notice within the ten (10) day period, the action of the Chief of Police shall be final and conclusive.
- (c) The hearing on the appeal shall be conducted pursuant to rules and procedures established by the City. The City Manager's determination shall be final.

15-917. Parking Permit Fees.

The parking permit fees for Residential Parking Districts shall be established by resolution of the City Council. Separate rates may be established for different permit types and/or permit locations.

15-918. Permit Parking Penalty Provisions.

It is unlawful and a violation of this Ordinance to do any of the following, which violations shall be subject to the civil parking penalties established by the City Council:

(1) Violations:

Unless exempted by the provisions of this Ordinance, no person shall park a motor vehicle in any Residential Parking District without proper permits. A violation of this Section shall constitute an infraction which shall be punishable as defined in Title 15, Chapter 6, Section 15-620, of the Cookeville Municipal Code.

(2) Representation:

No person shall falsely represent himself as eligible for a parking permit or furnish false information to the City in an application for a Residential Parking District permit.

(3) Utilization:

No permit issued pursuant to this Ordinance shall thereafter be assigned, transferred, or used for any consideration, monetary or otherwise.

(4) Duplication Not Allowed:

No person shall copy, produce or create a facsimile of or counterfeit a parking permit, nor shall any person use or display a facsimile or counterfeit Residential Parking Permit.

(5) Dedicated Use of Permit:

No person shall hold a valid parking permit and allow the use or the display of such permit on a motor vehicle other than that for which the permit was issued. Such conduct shall constitute an unlawful act both by the person who holds the valid parking permit and the person who displays the parking permit.

(6) Alterations:

No person shall alter or deface a parking permit or intentionally conceal an expiration date or otherwise attempt to present false information as true and genuine, on the face of a parking permit which is displayed in a vehicle parked on a City street.

(7) Display:

No person shall fail to display or improperly display a parking permit required and issued pursuant to this Ordinance.

(8) Responsibility of Permit Holders:

It shall be the sole responsibility of the owner, operator, manager, or driver of a vehicle for which a parking permit has been issued to become familiar with the provisions for and limitations on the use of the parking permits and ignorance of these provisions and limitations shall not be claimed as a defense in any action brought for illegal or improper use of the parking permit and shall not be sufficient grounds to void any citation issued for any violation of this Ordinance.

Section 2: This Ordinance shall take effect fourteen (14) days from and after its passage, the public welfare requiring it.

THE CITY OF COOKEVILLE, TENNESSEE

Ricky Shelton, Mayor

ATTEST:

Darian Coons, City Clerk

6A



Department of Water Quality Control

BID FOR: WATER METERS

DATE OF BID OPENING 8-Oct-20
 BIDS OPENED BY JASON LYNN
 BIDS WITNESS BY Brent Herron

TIME: 10:30 A. M.

		SECTION I			SECTION II	
BIDDERS	Quantity Item	150	1250	75	200	25
Hayes Pipe Supply	5/8" x 1/2"	5/8" x 3/4"	5/8" x 3/4"	3/4" x L-9"	1"	2" EF
		\$90.00	\$90.00	\$118.50	\$201.25	\$808.00
CITCO Water		\$51.00	\$51.00	\$81.00	\$126.00	\$602.00

		SECTION III		
BIDDERS	Quantity Item	1	1	1
Hayes Pipe Supply	3" Omni C2	4" Omni C2	6" Omni C2	
	\$2,017.00	\$3,504.00	\$6,052.00	
CITCO Water	\$1,693.00	\$2,923.00	\$4,879.00	

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM -CITCO WATER- BE AWARDED THE ABOVE METERS, IN SECTION I, SECTION II, AND SECTION III, FOR THE FOLLOWING REASON: LOW-BIDDERS MEETING SPECIFICATIONS. (Total \$127,220.00)

Paul Kelly
 RECOMMENDED:
 DEPARTMENT HEAD

James M. B.
 APPROVAL:
 CITY MANAGER

founda Amel
 BUDGET AVAILABILITY:
 FINANCE DIRECTOR

7A

ORDINANCE NUMBER O20-09-17

AN ORDINANCE TO REZONE A PORTION OF PROPERTY LOCATED AT 1940 EAST SPRING STREET IDENTIFIED AS A PORTION OF PARCEL 030.00 ON TAX MAP 067, FROM CG "GENERAL COMMERCIAL" TO QM "QUARRY AND MINING"

**ORDINANCE NUMBER: O20-09-17
REQUESTED BY: Planning Commission
PREPARED BY: Planning Department
APPROVED AS TO FORM AND
CORRECTNESS:**

(City Attorney)
PUBLIC HEARING HELD: _____
PASSED 1ST READING: _____
PASSED 2ND READING: _____
MINUTE BOOK _____, **PAGE** _____

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COOKEVILLE, TENNESSEE:

Section 1: The property located at 1940 East Spring Street, identified as a portion of Parcel 30.00 on Map 067, is hereby rezoned from CG, "General Commercial" to QM, "Quarry and Mining". Said property is described as follows and depicted on the attached map identified as Exhibit 1.

DESCRIPTION OF PROPERTY

BEGINNING AT A POINT, said point being the Current Eastern City Limits Line, said point also being the intersection of said Eastern City Limits Line and the Northern Right-of-Way of Interstate No. 40; Thence leaving said Eastern City Limits Line in a northwesterly direction and running with said Northern Right-of-Way and the Southern Boundary of Parcel No. 30.00, Map No. 067 of the Putnam County Tax Maps approximately 127 feet to a point; Thence in a westerly direction and continuing with said Northern Right-of-Way and said Southern Boundary approximately 76 feet to a point; Thence leaving said Northern Right-of-Way and said Southern Boundary in a northwesterly direction and running 630 feet parallel with the Centerline of East Spring Street/ US Hwy 70/State Route 24 approximately 1800 feet to a point, said point being the Southeastern Boundary of Parcel No. 24.00 of said Tax Map 067; Thence in a northeasterly direction and running with said Southeasterly Boundary of Parcel No. 24.00 approximately 540 feet to a point, said point being the Current City Limits Line and the Northern Boundary of said Parcel No. 30.00; Thence in an easterly direction and running with said Current City Limits Line and the said Northern Boundary of Parcel No. 30.00 approximately 636 feet to a point; Thence leaving said Northern Boundary of said Parcel No. 30.00 in a southeasterly direction and continuing with said Current City Lim-

its Line approximately 421 feet to a point; Thence in an easterly direction and continuing with said Current City Limits Line approximately 114 feet to a point; Thence in an southerly direction and continuing with said Current City Limits Line approximately 71 feet to a point; Thence in an southeasterly direction and continuing with said Current City Limits Line approximately 1388 feet to a point; Thence in an southwesterly direction and continuing with said Current City Limits Line approximately 64 feet to the **POINT OF BEGINNING**, said property containing 27.5+/- acres.

Section 2: This rezoning shall not become effective until such time as it is shown on the Official Zoning Map of the City of Cookeville, Tennessee.

Section 3: This Ordinance shall take effect fourteen (14) days from and after its passage, the public welfare requiring it.

THE CITY OF COOKEVILLE, TENNESSEE

Ricky Shelton, Mayor

ATTEST:

Darian Coons, City Clerk

7B

Record Management Software

- Central Square Technologies annual software maintenance fee
- Total maintenance fee = \$114,539.32
- CPD obligation is 25% of total maintenance cost = \$28,634.83
- Payment to Putnam County 911
- Budgeted item